

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

JUAN GARCIA,  
SAMUEL CARNEGIE,

Plaintiffs,

v.

CITY OF PATERSON, DEPARTMENT OF  
PUBLIC WORKS DIRECTOR MANUEL  
OJEDA, Individually and in Official  
Capacity,

Defendants,

Civil Action No.: 11-cv-6587 (CCC)

**ORDER**

This matter comes before the Court upon the motion of Plaintiffs Juan Garcia and Samuel Carnegie (“Plaintiffs”) for leave to file an amended complaint (Docket No. 14). On September 17, 2012, Magistrate Judge Joseph A. Dickson issued (1) an Opinion granting Plaintiffs’ motion to amend with respect to claims against Manuel Ojeda and denying Plaintiffs’ motion to amend with respect to claims against Defendant City of Paterson; and (2) a Report and Recommendation that the Plaintiffs’ claims against Defendant City of Paterson be dismissed for failing to state a claim upon which relief can be granted (Docket No. 20). No objections have been filed to Judge Dickson’s Report and Recommendation. The Court has considered the submissions of the parties, and Judge Dickson’s Report and Recommendation, and for substantially the same reasons stated therein,

IT IS on this 19 day of October, 2012

**ORDERED** that this Court adopts Judge Dickson’s September 17, 2012 Report and Recommendation; and it is further

**ORDERED** that Plaintiffs' claims against Defendant City of Paterson are hereby dismissed.

*s/ Claire C. Cecchi*  
**HON. CLAIRE C. CECCHI**  
**United States District Judge**